

ENROLLED ORIGINAL

A RESOLUTION

17-192

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To confirm the appointment of Mr. Erik A. Moses as the Director of the Department of Small and Local Business Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Small and Local Business Development Erik A. Moses Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Erik A. Moses
4556 Argyle Terrace, N.W.
Washington, D.C. 20011
(Ward 4)

as the Director of the Department of Small and Local Business Development, established by section 2311 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code 2-218.11), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3 . The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To confirm the reappointment of Mr. Walter Kamiat to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Walter Kamiat Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Walter Kamiat
7305 Alaska Avenue, N.W.
Washington, D.C. 20012
(Ward 4)

as a labor member of the Public Employee Relations Board, in accordance with section 501(c) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01(c)), for a term to end December 12, 2008.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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17-194

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To confirm the appointment of Ms. Soohyun Koo as the Executive Director of the Office on Asian and Pacific Islander Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office on Asian and Pacific Islander Affairs Soohyun Koo Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Soohyun Koo
6469 Gristmill Square Lane
Centreville, VA 20120

as the Executive Director of the Office on Asian and Pacific Islander Affairs, established by section 304 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1373), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-195

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$10 million in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist the D.C. Preparatory Academy in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "D.C. Preparatory Academy Revenue Bonds Project Approval Resolution of 2007".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor, the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the bonds, which owner shall be the D.C. Preparatory Academy, a District of Columbia nonprofit corporation exempt from federal income taxes.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the bonds and to make the loan, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

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(7) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the bonds and the making of the loan, including any offering document, and any required supplements to any such documents.

(8) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(9) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the bonds and the making of the loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the bonds and the making of the loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(10) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the bonds to the borrower.

(11) "Project" means the financing, refinancing, or reimbursing of all or a portion of the borrower's cost of:

(A) Acquiring, constructing, renovating, furnishing, and equipping a public charter school facility (grades preschool through 3) of the borrower, including land, buildings, improvements, and personal property, located at 707 Edgewood Street, N.E., Washington, D.C. (Square 3636, Lots 802 and 803);

(B) Funding any required debt service reserve fund or capitalized interest on the bonds; and

(C) Paying certain costs of issuance of the bonds and any bond insurance or credit enhancement.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage,

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note, or other security, or by the purchase, lease, or sale of any property.

(2) The borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$10 million, and to make the loan for the purpose of financing, refinancing, or reimbursing costs of the project.

(3) The project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The project is an undertaking in the area of elementary, secondary, and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the bonds and the loan to the borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized, pursuant to the Home Rule Act, and this resolution to assist in financing, refinancing, or reimbursing the costs of the project by:

(1) The issuance, sale, and delivery of the bonds, in one or more series, in an aggregate principal amount not to exceed \$10 million; and

(2) The making of the loan.

(b) The Mayor is authorized to make the loan to the borrower for the purpose of financing, refinancing, or reimbursing the costs of the project and establishing any fund with respect to the bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the bonds, the District's participation in the monitoring of the use of the bond proceeds and compliance with any public benefit agreements with the District, maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the bonds, including a determination that the bonds may be issued in certificated or book-entry form;

(2) The principal amount of the bonds to be issued and denominations of the bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of

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interest on the bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the bonds, and the maturity date or dates of the bonds;

(5) The terms under which the bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the bonds and the replacement of mutilated, lost, stolen, or destroyed bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the bonds;

(8) The time and place of payment of the bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the bonds to ensure that the proceeds are properly applied to the project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the bonds under blue sky laws of any jurisdiction where the bonds are marketed; and

(11) The terms and types of credit enhancement under which the bonds may be secured.

(b) The bonds shall contain a legend, which shall provide that the bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(c) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

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Sec. 6. Sale of the bonds.

(a) The bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interests of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the bonds.

(c) The Mayor is authorized to deliver the executed and sealed bonds, on behalf of the District, for authentication, and, after the bonds have been authenticated, to deliver the bonds to the original purchasers of the bonds upon payment of the purchase price.

(d) The bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the bonds of such series and, if the interest on the bonds is expected to be exempt from federal income taxation, the treatment of the interest on the bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, and the premium, if any, and interest on, the bonds shall be payable solely from proceeds received from the sale of the bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the loan, income realized from the temporary investment of those receipts and revenues prior to payment to the bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

(b) Payment of the bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the bonds and to make the loan to the borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

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(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The bonds shall be special obligations of the District. The bonds shall be without recourse to the District. The bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the bonds.

(c) Nothing contained in the bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the borrower and any bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected

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or appointed officials, officers, employees, or agents to perform any covenant, undertaking, or obligation under this resolution, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the bonds, the Financing Documents, or the Closing Documents.

Sec.12. Maintenance of documents.

Copies of the specimen bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec.13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of bonds is in the discretion of the District. Nothing contained in this resolution, the bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any bonds for the benefit of the borrower or to participate in or assist the borrower in any way with financing, refinancing, or reimbursing the costs of the project. The borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any bonds for the benefit of the borrower.

(b) The District reserves the right to issue the bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is

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excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the project, does not provide any assurance that the project is viable or sound, that the borrower is financially sound, or that amounts owing on the bonds or pursuant to the loan will be paid. The borrower, any purchaser of the bonds, or any other person shall not rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any bonds are not issued, sold, and delivered to the original purchaser within 3 years of the date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution, or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the bonds, and the validity of the bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the project. This has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To confirm the appointment of Ms. Margaret A. Moore to the Police Complaints Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Police Complaints Board Margaret A. Moore Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Margaret A. Moore
1312 Holly Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Police Complaints Board, established by section 5 of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), replacing Patricia A. Fisher, whose term ended January 12, 2007, for a term to end January 12, 2010.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To confirm the appointment of Mr. Darrell Darnell as the Director of the Homeland Security and Emergency Management Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Homeland Security and Emergency Management Agency Darrell Darnell Confirmation Resolution of 2007".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Darrell Darnell
12611 Kingsview Street
Mitchellville, MD 20721

as the Director of the Homeland Security and Emergency Management Agency, established by section 2 of An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes, approved August 11, 1950 (64 Stat. 438; D.C. Official Code § 7-2202), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-198

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to allow drivers residing outside of the District of Columbia to register a single vehicle with the Department of Motor Vehicles for use as a taxicab.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Non-Resident Taxi Drivers Registration Emergency Declaration of 2007".

Sec. 2 (a) There exists an immediate crisis regarding the registration of vehicles owned by out-of-state drivers for use as taxicabs within the District of Columbia.

(b) During Council Period XIII, the Council passed legislation (D.C. Law 13-289) to prohibit out-of-state residents from registering vehicles within the District of Columbia, subject to certain narrowly defined exceptions. At the time, the Council did not realize that the legislation would have ended the long-standing practice by which out-of-state residents registered a single vehicle within the District of Columbia for use as a taxicab within the District of Columbia.

(c) If the District enforces D.C. Law 13-289 as written, as many as 80% of all District taxicabs would be forced to operate under constraints that would be inappropriate for both taxicab drivers and the District taxicab regulators, or else be removed from the streets entirely. Either outcome is contrary to the interest of District residents.

(d) To avoid this undesirable outcome, the Department of Motor Vehicles has adopted a policy of grandfathering in existing vehicles. This grandfathering is being done without statutory authority.

(e) The passage of this legislation, on an emergency basis, will provide a statutory basis for grandfathering in existing out-of-state taxicab drivers. Grandfathering in existing drivers will encourage taxicab drivers to continue to replace outmoded vehicles, while allowing for an orderly process under which the District will ultimately conform to both the letter and spirit of D.C. Law 13-289.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Non-Resident Taxi Drivers Registration Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-199

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve the negotiated compensation settlement between the Transportation Administrator for the Division of Transportation of the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO for the period from October 1, 2006, through September 30, 2007.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Settlement Between the Transportation Administrator for the Division of Transportation of the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO, Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools ("Transportation Administrator") and the American Federation of State, County, and Municipal Employees ("AFSCME") Local 1959 entered into a collective bargaining agreement on September 9, 2005, for the term of January 1, 2005, through June 30, 2007.

(b) The Council approved the compensation settlement between the Transportation Administrator and AFSCME Local 1959 from January 1, 2005, through September 30, 2006, in the Compensation Settlement Between the Transportation Administrator for the Division of Transportation of the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO, Emergency Approval Resolution of 2006, effective July 11, 2006 (Res. 16-778; 53 DCR 6327).

(c) The membership of AFSCME Local 1959 consists of bus drivers and bus attendants who provide specialized transportation services for more than 4,000 children with special needs throughout the Washington Metropolitan Area. Unless legislative action is immediately taken on the negotiated compensation agreement between the Transportation Administrator and AFSCME 1959 for the period from October 1, 2006, through September 30, 2007, a negative impact upon the financial well-being and personal morale of the members of the collective bargaining unit may compromise the delivery of services, affecting the learning environment for

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District public school students with special needs.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Compensation Settlement Between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO, Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-200

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, the negotiated compensation settlement between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO, submitted by the Mayor.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Settlement Between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO, Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-167.17(j)), the Council approves the compensation settlement negotiated through collective bargaining between the Transportation Administrator for the Division of Transportation of the District of Columbia Public Schools and the District Council 20, Local 1959, American Federation of State, County, and Municipal Employees, AFL-CIO for the period October 1, 2006, through September 30, 2007, which was transmitted to the Council by the Mayor on May 25, 2007, and the related pay schedule, which provides as follows:

Division of Transportation
District of Columbia Public Schools
AFSCME, Local 1959 Pay Scale

Effective October 1, 2006

3% negotiated base increase

Position	Step 1	Step 2	Step 3	Step 4	Step 5
Driver RW-7	14.91	15.36	15.81	16.28	16.77
Attendant RW-3	11.31	11.65	12.00	12.36	12.73

4% increase (includes negotiated 3% base increase and 1% PIC)

Position	Step 1	Step 2	Step 3	Step 4	Step 5
Driver RW-7	15.05	15.51	15.97	16.44	16.93
Attendant RW-3	11.42	11.76	12.12	12.48	12.85

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Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Transportation Administrator, the District Council 20, Local 1959, AFL-CIO, the Board of Education, and the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to amend the District of Columbia Regional Airports Authority Act of 1985 to clarify the authority to render mutual aid to regional jurisdictions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Regional Airports Authority Clarification Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Metropolitan Washington Airports Authority ("MWAA") was created by an interstate compact between the District of Columbia and the Commonwealth of Virginia that requires each of the jurisdictions to adopt the same law for the adopted law to be effective.

(b) As a result of MWAA working with the Metropolitan Washington Council of Governments to coordinate emergency response in the National Capital Region, it was concluded that there is a need to clarify MWAA's authority to render mutual aid to regional jurisdictions outside of airports during police, fire, or rescue emergencies.

(c) At the request of MWAA, Virginia adopted legislation to clarify MWAA's authority to render mutual aid to regional jurisdictions that is scheduled to take effect on July 1, 2007. The District must adopt similar legislation for the law to become effective.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Regional Airports Authority Clarification Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-202

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve a multiyear contract with ACME Auto Leasing, LLC to lease vehicles to the Department of Public Works, Fleet Management Administration.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2007-F-0044 Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Office of Contracting and Procurement ("OCP"), on behalf of the Department of Public Works, proposes to enter into a multiyear contract with ACME Auto Leasing, LLC ("ACME") to provide lease vehicles to the Department of Public Works, Fleet Management Administration.

(b) The OCP proposes to enter into a one-year blanket purchase agreement, Contract No. DCKT-2007-F-0044 ("BPA"), with ACME and issue multiyear delivery orders against the BPA to lease vehicles. The terms of the delivery orders will be 12, 24, or 36 months, whichever is determined to be most advantageous to the District at the time of lease.

(c) The estimated total expenditure under the BPA with ACME, is in the amount of \$719,520.

(d) Council approval is necessary to allow the District to receive the benefit of these vital services from ACME.

(e) These critical services can only be obtained through an award of the multiyear delivery orders with ACME.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2007-F-0044 Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-203

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, multiyear Contract No. DCKT-2007-F-0044 with ACME Auto Leasing, LLC to provide lease vehicles to the Department of Public Works, Fleet Management Administration.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2007-F-0044 Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council of the District of Columbia approves Contract No. DCKT-2007-F-0044, a multiyear agreement with ACME Auto Leasing, LLC to provide lease vehicles to the Department of Motor Vehicles, Fleet Management Administration, in the amount of \$719,520.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCKT-2007-F-0045 with Advantage Leasing Associates, LLC to provide lease vehicles to the Department of Public Works, Fleet Management Administration.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2007-F-0045 Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Office of Contracting and Procurement ("OCP"), on behalf of the Department of Public Works, proposes to enter into a multiyear contract with Advantage Leasing Associates, LLC ("Advantage") to provide lease vehicles to the Department of Public Works, Fleet Management Administration.

(b) The OCP proposes to enter into a one-year blanket purchase agreement, Contract No. DCKT-2007-F-0045 ("BPA"), with Advantage and issue multiyear delivery orders against the BPA to lease vehicles. The terms of the delivery orders will be 12, 24, or 36 months, whichever is determined to be most advantageous to the District at the time of lease.

(c) The estimated total expenditure under the BPA with Advantage is in the amount of \$324,504.96.

(d) Council approval is necessary to allow the District to receive the benefit of these vital services from Advantage.

(e) These critical services can only be obtained through an award of the multiyear delivery orders with Advantage.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKT-2007-F-0045 Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-205

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, multiyear Contract No. DCKT-2007-F-0045 with Advantage Leasing Associates, LLC to provide lease vehicles to the Department of Public Works, Fleet Management Administration.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKT-2007-F-0045 Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council of the District of Columbia approves Contract No. DCKT-2007-F-0045, a multiyear agreement with Advantage Leasing Associates, LLC to provide lease vehicles to the Department of Motor Vehicles, Fleet Management Administration, in the amount of \$324,504.96.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve Modification No. 3 and Proposed Modification No. 6 to Contract No. POKA-2004-C-0032-KH for tree planting services and to authorize payment for the services received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modification No. 3 and Proposed Modification No. 6 to Contract No. POKA-2004-C-0032-KH Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve Modification No. 3 and Proposed Modification No. 6 to Contract No. POKA-2004-C-0032-KH for tree planting services and to authorize payment for the services received under the contract.

(b) On October 7, 2005, the Office of Contracting and Procurement ("OCP") executed Modification No. 3 to Contract No. POKA-2004-C-0032-KH, which exercised an option to extend Contract No. POKA-2204-C-0032-KH with Lorenz Lawn and Landscape, Inc., for tree planting services for option year one, from October 7, 2005, through October 6, 2006. On that date, PO 166941 was issued in the amount of \$658,450, the full amount authorized by the Contracting Officer for the option year under Modification No. 3. Subsequently, the District Department of Transportation ("DDOT") obtained grant funding for planting additional trees. DDOT officials used \$793,608 of these grant funds for additional tree planting services without the knowledge of the Contracting Officer. The OCP therefore did not modify the contract to increase the contract amount for option year one or request Council approval for this increase, although the total amount spent for option year one was \$1,452,058.

(c) The Contracting Officer issued a stop work order as soon as he became aware that the contractor was providing services without Council approval. However, the funds for option year one were already fully expended and the tree planting services had been received. Enactment of the Modification No. 3 and Proposed Modification No. 6 to Contract No. POKA-2004-C-0032-KH Approval and Payment Authorization Emergency Act of 2007 would retroactively approve Modification No. 3 and prospectively approve Proposed Modification No. 6, authorizing a total contract amount for option year one of \$1,452,058. It would also retroactively approve DDOT's

ENROLLED ORIGINAL

spending of this amount during the relevant contract period.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modification No. 3 and Proposed Modification No. 6 to Contract No. POKA-2004-C-0032-KH Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve Contract No. DCKV-2007-C-0001, a multiyear contract with Industrial Bank, N.A., to provide lockbox and collection services for the Department of Motor Vehicles.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKV-2007-C-0001 Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A., to provide lockbox and collection services for the Department of Motor Vehicles.

(b) The District has proposed a contract with Industrial Bank, N.A., based on a procurement conducted by means of competitive sealed proposals. The contract is in the amount of \$6,417,980 for a performance period of 24 months. The provision of these services under the proposed multiyear contract is critical to process the receipts from traffic and parking citations.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCKV-2007-C-0001 Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To approve, on an emergency basis, multiyear Contract No. DCKV-2007-C-0001 with Industrial Bank, N.A., to provide lockbox and collection services for the Department of Motor Vehicles.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCKV-2007-C-0001 Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council of the District of Columbia approves Contract No. DCKV-2007-C-0001, a multiyear agreement, with Industrial Bank, N.A., to provide lockbox and collection services for the Department of Motor Vehicles. The contract is in the amount of \$6,417,980 and has a performance period of 2 years.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-209

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 5, 2007

To declare the existence of an emergency with respect to the need to approve a multiyear contract with the See Forever Foundation to provide educational services to youths committed to the Oak Hill Youth Center.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCJZ-2007-C-0002 Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve a definitized contract to provide educational services to youths committed to the Oak Hill Youth Center and to authorize payment for the goods and services received and to be received under this contract.

(b) On April 30, 2007, the Office of Contracting and Procurement, on behalf of the Department of Youth Rehabilitation Services, awarded a letter contract to the See Forever Foundation ("SFF") to provide educational services to youths at the Oak Hill Youth Center for 90 days. The Office of Contracting and Procurement now proposes to definitize the contract and enter into a multiyear contract with SFF for 3 years, from April 30, 2007. These critical educational services can only be obtained through an award of the multiyear contract with SFF.

(c) The estimated total expenditure under the multiyear contract with SFF is \$12,256,711.

(d) Council approval is necessary to allow the District to continue to receive the benefit of these vital services from SFF.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCJZ-2007-C-0002 Emergency Approval Resolution of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.